

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 24945-0031

In re patent application of:
Wolfgang STÄHLE et al.

Applic. No.: 10/577,033

Art Unit: Unassigned

Filed: April 24, 2006

Examiner: Unassigned

For: BENZIMIDAZOLYL DERIVATIVES

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

RELEVANCE

The foregoing documents came to the Applicants' attention during a search of the corresponding international application. A copy of the Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

An English language translation of Documents A06 and A07 are not readily available; however, the absence of such translation does not relieve the PTO from its duty to consider the submitted document (37 CFR §1.98 and MPEP §609). Applicant has attached an English abstract of these documents.

TIMING/FEE

The instant Information Disclosure Statement is being filed in compliance with 37 CFR §1.97(b) prior to the mailing date of the first official action, therefore, no fee is required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: August 1, 2006

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

<i>Complete if Known</i>	
Application Number	10/577,033
Filing Date	April 24, 2006
First Named Inventor	STAEHLE et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	24945-0031.US

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ^a
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)					
	A01	WO	2004/085425	A	7/10/2004	AMGEN INC.	
	A02	WO	03/082272	A	9/10/2003	CHIRON CORP.	
	A03	WO	03/074515	A	12/9/2003	Smithkline Beecham Corp.	
	A04	WO	01/25238	A	12/4/2001	Boehringer Ingelheim Pharmaceuticals, Inc.	
	A05	WO	02/44156	A	6/6/2002	Glaxo Group Limited	
	A06	JP	60 213945	A	26/10/1985	Fuji Photo Film Co., Ltd.	
	A07	GB	1 171 904	A	26/11/1969	Unilever Ltd.	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached.

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STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

2

of

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Examiner Name	Unassigned

Attorney Docket Number

24945-0031.US

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A08	GARIN, JAVIER et al., "Diheterocyclic compounds from dithiocarbamates and derivatives thereof. XP002317608, Database accession no. 1990:478244, Journal of Heterocyclic Chemistry 27(2), 221-6, DATABASE CAPLUS CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US;	
	A09	YAMAMOTO, YOSHITOMO et al., "2-p-(Substituted aminio)anilinobenzimidazoles", XP002317609, Database accession no. 1980:111007 and JP 54 081271A, June 28, 1979; DATABASE CAPLUS CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US	
	A10	TOLEA, ANICA et al., "Dipolar cycloadditions of benzimidazole 3-oxides with aromatic diisocyanates", XP002317610, Database accession no. 1978:61742; Revistade Chimie 28(9), 823-5 Coden: DATABASE CAPLUS CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US;	

Examiner Signature

Date Considered

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¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.